

**SPECIAL PUBLIC MEETING OF THE BOARD OF DIRECTORS OF THE
ARIZONA STATE SCHOOLS FOR THE DEAF AND THE BLIND**

APPROVED SPECIAL BOARD MEETING MINUTES

September 24, 2013
ASDB Phoenix Campus
MS/HS Multi-Purpose Room
7654 N 19th Ave, Phoenix, Arizona

I. Call to Order and Roll Call

Board President Michael Williams called the meeting to order at approximately 6:17 p.m. and Board Secretary Sherri Collins conducted roll call.

Members Present: Michael Williams, Sherri Collins, Elaine Baldrige, Taralynn Petrites, Kathy Jankowski, Mark Syms, Michael Gordon, Orlenda Roberts, and Marv Lamar (via speakerphone)

Others Present: Superintendent Robert Hill, Attorney General Representatives Michelle Kunzman and Kim Anderson

II. Public Comment on Agenda and Non-Agenda Items**

Michael Williams moved to III. Business Agenda Items. Following action on agenda items III.A. and III.B., Michael Williams returned to public comment.

Sharon Kay Schira-Layton, employee and alumni, expressed concern with student safety as it relates to visitors to campus and recommended the setup of a security post at the front of the Tucson campus.

Richard McLaughlin, former student, expressed concern with student suffering, to not renew Superintendent's contract, and the desire for a bright future for students under new administration lead by Nancy Amann.

Henry Garcia, alumni, expressed concern that this has been going on since March, requested the Board to move on, and suggested the Board hire a retired Superintendent from California to clean up mess.

Beca Bailey, parent, expressed concern that the delay by Board is impacting students and others, the need for a fresh new administrator, an interim Superintendent needs to be deaf, and commented that the current Assistant Superintendent is not qualified to run this deaf school since his background is in blindness. Expressed further concern that the approval to use trust funds for student out-of-state trips is contingent upon student AIMS testing scores.

Shelley Herbold, parent, expressed concerns regarding approval of out-of-state trips based upon AIMS scores; further expressed concern that a writing curriculum is not in place; and asked for a template for writing legislature so can share with others who want to write on behalf of ASDB students before the Board provides a workshop for us here on campus.

Michael Williams moved to agenda item III.C.

III. Business Agenda Items

Michael Williams moved to items III.A. and III.B. prior to taking public comment under agenda item II.

A. Release of Investigation Reports into Complaints Filed with the Board for Discussion, Consideration and Possible Action

B. Superintendent's Employment and Contract for Discussion, Consideration, and Possible Action

It was moved by Orlenda Roberts, seconded by Taralynn Petrites, and unanimously carried that the Board adjourn into executive session pursuant to A.R.S. 38-431.03(A)3) for discussion/consultation for legal advice with the Board's attorneys as it relates to agenda items III.A. and III. B., and pursuant to A.R.S. 38-431.03(A)(1) for discussion and consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation as it relates to agenda item III.B.

Spoke to the Issue: Michael Williams and Kim Anderson

Discussion Highlights: Adjourning to executive session with a single motion to discuss two agenda items and the need to include legal reason for the executive session in the motion,

The Board went into executive session at approximately 6:23 p.m.. and returned to public session at approximately 8:04 p.m.

Michael Williams asked for a motion to table items III.A. and III.B.

It was moved by Orlenda Roberts, seconded by Elaine Baldrige, and unanimously carried that the Board table business agenda item III.A. Release of Investigation Reports into Complaints Filed with the Board for Discussion, Consideration and Possible Action, and business item III.B. Superintendent's Employment and Contract for Discussion, Consideration, and Possible Action to a future Board meeting.

Following discussion/action on items III.A. and B., Michael Williams returned to Item II. Public Comment

C. Extension of Contract/Consultation with Fennemore Craig Law Firm for Discussion, Consideration, and Possible Action

Following public comment under agenda item II., Michael Williams returned to agenda item III.C.

Spoke to the Issue: Michael Williams, Sherri Collins, Orlenda Roberts and Michelle Kunzman

Discussion Highlights: Michael Williams noted that a couple Board members asked to put item III.C. on the agenda. One of those Board members was Sherri Collins so Michael Williams deferred to Sherri Collins who explained that she would like to request from the AG's Office to continue to use Fennemore Craig in the form of legal counsel and wants to know the formality required to make this happen. Michelle Kunzman explained that the concern that any additional work conducted by Fennemore Craig may be outside the scope of work for which they were hire under current agreement/contact. Sherri Collins indicated that the Board's vote that resulted in the hire of Fennemore Craig was to conduct an investigation into complaints filed with Board but did not include legal counsel in this matter or any other matter. Michelle Kunzman indicated the Board needed to make a written request to the Attorney General's Office to specify the new arrangement the Board

wants to enter into with Fennemore Craig. Michael asked to know if it would be appropriate for him to draft and send a request to the AG and the answer was yes from Michelle Kunzman. Orlenda Roberts said the report from Fennemore Caig was provided to the Board and she was grateful for the legal advice provided from the AG's legal team regarding the report and matter. She is not aware of the finances obligated to the investigation/report and is perfectly satisfied with legal counsel's legal guidance. Michelle Kunzman recommended to the extent that the Board wants to talk about the engagement of Fennemore Craig in additional issues related to this matter, that the Board obtain legal counsel in executive session.

Michael temporarily tabled this item to get through items III. D., E., and F.

Following action on items III.D., E. and F., Michael Williams return to item III.C.

It was moved by Sherri Collins, seconded by Taralynn Petrites, and unanimously carried that the Board adjourn into executive session for legal advice with the Board's attorneys related to the extension of Contract with Fennemore Craig Law Firm and no action will be taken in executive session.

The Board went into executive session at approximately 8:53 p.m. and returned to public session at approximately 9:19 p.m.

Spoke to the Issue: Kim Anderson, Michael Williams, Sherri Collins, Kathy Jankowski, Orlenda Roberts, Michelle Kunzman, Robert Hill

Discussion Highlights: Sherri Collins clarified it is her desire to utilize Fennemore Craig as part of the team in some capacity along with AG legal counsel; State law assigns AG's Office as ASDB's legal counsel; desire not to have another special meeting; Michael Williams suggestion that the item be tabled to give Sherri time to think this through as the Board examines treacherous waters.

Kathy Jankowski moved that the Board continue the contract with Fennemore Craig with the approval from the Attorney General.

Discussion Highlights: Michael Williams asked for a description of the scope of work that would be involved with the contract extension of Fennemore Craig. Orlenda Roberts expressed concern that the Board was creating unnecessary legal issues and said she didn't want the Board to address this issue now or in the future without an understanding of the reasoning for involving Fennemore Craig in additional work is clearly explained. Michael Williams stated that the Board would only be asking permission from the Attorney General's office to extend the contract of Fennemore Craig. Robert Hill addressed the financial ramifications to ASDB's budget.

Michael Williams moved to agenda item IV. Ajournmmment.

D. Superintendent's Intent to Issue Employment Contract for Regional Director, Eastern Highlands Regional Cooperative for Discussion, Consideration and Possible Action

Robert noted that both items III.D. and III.E. were on last two agendas, the persons recommended

for contract are highly qualified, ASDB is lucky to have these individuals, and approval would require a change to the dates of contract term.

Michael Williams reported that he met with these two individuals recommended for contract, and staff and parents who believe that both individuals are qualified and urged Board approval of the contracts.

It was moved by Orlenda Roberts, seconded by Elaine Baldrige, and moved with a vote of 8 in favor and 1 opposed (Sherri Collins) that the Board approve the issuance of a contract to Ms. Ruth Parsons, effective September 25, 2013 through September 24, 2014.

E. Superintendent's Intent to Issue Employment Contract for Regional Director, North Central Regional Cooperative for Discussion, Consideration and Possible Action

It was moved by Orlenda Roberts, seconded by Elaine Baldrige, and moved with a vote of 8 in favor and 1 opposed (Sherri Collins) that the Board approve the issuance of a contract to Ms. Jane McDonald, effective September 25, 2013 through September 24, 2014.

F. Update on ASDB Busses for Discussion Only

Public comment

Shelley Herbold, parent, expressed concerns that her children are still complaining about their bus ride to and from school, and asked the status of contracting out transportation services.

Penny Feters, employee, and a former ASDB bus driver/dispatcher, commented that she doesn't believe parents would really want to contract bus services because the contractors would not care for their children as they are cared for by ASDB. She expressed concerns related to the challenges encountered with using computer generated bus routes.

Spoke to the issue: Michael Williams, Robert Hill, Kathy Jankowski,

Discussion Highlights: Michael Williams and Robert Hill both contacted transportation service contractor(s) who responded they couldn't provide such services to ASDB for various reasons; water bottles are still being provided to the children who ride busses; explanation of industry standards for pick up and drop off of students and applied at ASDB as well as school districts; the very strict rules and regulations involved with bussing students; challenges faced in the industry with hiring drivers; ASDB drivers compensated well; training provided to all ASDB transportation personnel also slows down the hiring process; primary issue faced by ASDB is the large service area and congestion in the valley; a yellow school bus must be used when transporting even just 1 student.

Michael Williams returned to item III.C.

IV. Adjournment

It was moved by Sherri Collins, seconded by Mark Syms, and unanimously carried that the meeting be adjourned.

Michael Williams adjourned the meeting at approximately 9:57 p.m.